

Office of the Assistant Secretary, HUD

§ 982.1

- 982.502 Conversion to voucher program.
- 982.503 Voucher tenancy: Payment standard amount and schedule.
- 982.504 Voucher tenancy: Payment standard for family in restructured subsidized multifamily project.
- 982.505 Voucher tenancy: How to calculate housing assistance payment.
- 982.506 Negotiating rent to owner.
- 982.507 Rent to owner: Reasonable rent.
- 982.508 Maximum family share at initial occupancy.
- 982.509 Rent to owner: Effect of rent control.
- 982.510 Other fees and charges.
- 982.514 Distribution of housing assistance payment.
- 982.515 Family share: Family responsibility.
- 982.516 Family income and composition: Regular and interim examinations.
- 982.517 Utility allowance schedule.
- 982.518 Regular tenancy: How to calculate housing assistance payment.
- 982.519 Regular tenancy: Annual adjustment of rent to owner.
- 982.520 Regular tenancy: Special adjustment of rent to owner.
- 982.521 Rent to owner in subsidized project.

Subpart L—Family Obligations; Denial and Termination of Assistance

- 982.551 Obligations of participant.
- 982.552 PHA denial or termination of assistance for family.
- 982.553 Crime by family members.
- 982.554 Informal review for applicant.
- 982.555 Informal hearing for participant.

Subpart M—Special Housing Types

- 982.601 Overview.

SINGLE ROOM OCCUPANCY (SRO)

- 982.602 SRO: Who may reside in an SRO?
- 982.603 SRO: Lease and HAP contract.
- 982.604 SRO: Voucher housing assistance payment.
- 982.605 SRO: Housing quality standards.

CONGREGATE HOUSING

- 982.606 Congregate housing: Who may reside in congregate housing.
- 982.607 Congregate housing: Lease and HAP contract.
- 982.608 Congregate housing: Voucher housing assistance payment.
- 982.609 Congregate housing: Housing quality standards.

GROUP HOME

- 982.610 Group home: Who may reside in a group home.
- 982.611 Group home: Lease and HAP contract.
- 982.612 Group home: State approval of group home.

- 982.613 Group home: Rent and voucher housing assistance payment.
- 982.614 Group home: Housing quality standards.

SHARED HOUSING

- 982.615 Shared housing: Occupancy.
- 982.616 Shared housing: Lease and HAP contract.
- 982.617 Shared housing: Rent and voucher housing assistance payment.
- 982.618 Shared housing: Housing quality standards.

COOPERATIVE

- 982.619 Cooperative housing.

MANUFACTURED HOME

- 982.620 Manufactured home: Applicability of requirements.
- 982.621 Manufactured home: Housing quality standards.

MANUFACTURED HOME SPACE RENTAL

- 982.622 Manufactured home space rental: Rent to owner.
- 982.623 Manufactured home space rental: Housing assistance payment.
- 982.624 Manufactured home space rental: Utility allowance schedule.

AUTHORITY: 42 U.S.C. 1437f and 3535(d).

SOURCE: 59 FR 36682, July 18, 1994, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 982 appear at 64 FR 26640, May 14, 1999.

Subpart A—General Information

SOURCE: 60 FR 34695, July 3, 1995, unless otherwise noted.

§ 982.1 Programs: purpose and structure.

(a) *General description.* (1) In the HUD Housing Choice Voucher Program (Voucher Program) and the HUD certificate program, HUD pays rental subsidies so eligible families can afford decent, safe and sanitary housing. Both programs are generally administered by State or local governmental entities called public housing agencies (PHAs). HUD provides housing assistance funds to the PHA. HUD also provides funds for PHA administration of the programs. PHAs are no longer allowed to enter into contracts for assistance in the certificate program.

(2) Families select and rent units that meet program housing quality

§ 982.2

standards. If the PHA approves a family's unit and tenancy, the PHA contracts with the owner to make rent subsidy payments on behalf of the family. A PHA may not approve a tenancy unless the rents is reasonable.

(3) In the certificate program, the rental subsidy is generally based on the actual rent of a unit leased by the assisted family. In the voucher program, the rental subsidy is determined by a formula.

(4)(i) In the certificate program, the subsidy for most families is the difference between the rent and 30 percent of adjusted monthly income.

(ii) In the voucher program, the subsidy is based on a local "payment standard" that reflects the cost to lease a unit in the local housing market. If the rent is less than the payment standard, the family generally pays 30 percent of adjusted monthly income for rent. If the rent is more than the payment standard, the family pays a larger share of the rent.

(b) *Tenant-based and project-based assistance.* (1) Section 8 assistance may be "tenant-based" or "project-based". In project-based programs, rental assistance is paid for families who live in specific housing developments or units. With tenant-based assistance, the assisted unit is selected by the family. The family may rent a unit anywhere in the United States in the jurisdiction of a PHA that runs a voucher program.

(2) To receive tenant-based assistance, the family selects a suitable unit. After approving the tenancy, the PHA enters into a contract to make rental subsidy payments to the owner to subsidize occupancy by the family. The PHA contract with the owner only covers a single unit and a specific assisted family. If the family moves out of the leased unit, the contract with the owner terminates. The family may move to another unit with continued assistance so long as the family is complying with program requirements.

[60 FR 34695, July 3, 1995, as amended at 64 FR 26640, May 14, 1999]

§ 982.2 Applicability.

(a) Part 982 is a unified statement of program requirements for the tenant-based housing assistance programs under Section 8 of the United States

24 CFR Ch. IX (4-1-00 Edition)

Housing Act of 1937 (42 U.S.C. 1437f). The tenant-based programs are the Section 8 tenant-based certificate program and the Section 8 voucher program.

(b) Unless specifically stated in this part, requirements for both tenant-based programs are the same.

[60 FR 34695, July 3, 1995, as amended at 64 FR 26640, May 14, 1999]

§ 982.3 HUD.

The HUD field offices have been delegated responsibility for day-to-day administration of the program by HUD. In exercising these functions, the field offices are subject to HUD regulations and other HUD requirements issued by HUD headquarters. Some functions are specifically reserved to HUD headquarters.

§ 982.4 Definitions.

(a) *Definitions found elsewhere:*

(1) *General definitions.* The terms *1937 Act*, *HUD*, and *MSA*, are defined in 24 CFR part 5, subpart A.

(2) *Definitions under the 1937 Act.* The terms "annual contributions contract (ACC)," "disabled family," "displaced family," "elderly family," "family," "live-in aide," "near-elderly family" and "person with disabilities" are defined in part 5, subpart D of this title.

(3) *Definitions concerning family income and rent.* The terms "adjusted income," "annual income," "extremely low income family," "tenant rent," "total tenant payment," "utility allowance," and "utility reimbursement" are defined in part 5, subpart F of this title. The definitions of "tenant rent" and "utility reimbursement" in part 5, subpart F of this title, apply to the certificate program, but do not apply to the tenant-based voucher program under part 982.

(b) In addition to the terms listed in paragraph (a) of this section, the following definitions apply:

Absorption. In portability (under subpart H of this part 982): the point at which a receiving PHA stops billing the initial PHA for assistance on behalf of a portability family. The receiving PPHA uses funds available under the receiving PHA consolidated ACC.